

REMARKS

Claims 3, 17, and 20 have been cancelled. Claims 1, 18, and 22 have been amended to clarify the subject matter regarded as the invention. Claims 1-16, 18-19, and 21-22 are pending.

The Examiner has rejected Claims 1, 2, 4-12, 16, 18, 19, 21, and 22 under 35 U.S.C. §103(a) as being unpatentable over Giovannoli (U.S. Patent No. 5,758,328) in view of Walker (U.S. Patent No. 5,794,207), in view of Fedor (U.S. Patent No. 6,785,660). The Examiner has rejected Claims 4-6 under 35 U.S.C. §103(a) as being unpatentable over Giovannoli, Walker, Fedor. The Examiner has rejected Claims 13 and 14 under 35 U.S.C. §103(a) as being unpatentable over Giovannoli, Walker, Fedor, and further in view of Ausubel (U.S. Patent No. 5,905,975). The Examiner has rejected Claim 15 under 35 U.S.C. §103(a) as being unpatentable over Giovannoli, Walker, and Fedor in view of Godin (U.S. Patent No. 5,890,138). The rejections are respectfully traversed.

As amended, Claim 1 recites that “the historical performance information includes information associated with the historic ability of a supplier to deliver a good or service after that supplier is designated a winning bidder in a prior auction.” Support for the amendment may be found, without limitation, in the paragraph beginning on line 3 of page 11 of the Specification. None of the references disclose this limitation. Therefore, Claim 1 is believed to be allowable.

Claims 2-16 depend from Claim 1 and are believed to be allowable for the same reasons described above.

As amended, independent Claim 18 similarly recites a system that “the database also includes historical performance information pertaining to at least some of the potential bidders, wherein the historical performance information includes information associated with the historic ability of a supplier to deliver a good or service after that supplier is designated a winning bidder in a prior auction” and is believed to be allowable for the same reasons described above. Claims 19 and Claim 21 depend from Claim 18 and are believed to be allowable for the same reasons described above.

As amended, independent Claim 22 similarly recites that "the historical performance information includes information associated with the historic ability of a supplier to deliver a good or service after that supplier is designated a winning bidder in a prior auction." Therefore, it is believed that Claim 22 is also allowable.


The foregoing amendments are not to be taken as an admission of unpatentability of any of the claims prior to the amendments.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

Dated: _____

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